

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL GLOMSON,

Plaintiff,

Case No. 06-11299

v.

Honorable John Corbett O'Meara

LVNV FUNDING, INC., *et al.*,

Defendants.

_____ /

ORDER OF PARTIAL DISMISSAL

Plaintiff Daniel Glomson filed a two-count complaint in this court March 29, 2006, and an amended three-count complaint April 10, 2006, alleging violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692a(6), in Count I and violations of Michigan's Collection Practices Act in Counts II and III.

While alleged violations of federal law are cognizable in this court pursuant to 28 U.S.C. § 1343, Counts II and III are based solely on state law. Since the parties to this matter are not diverse, this court declines to exercise supplemental jurisdiction over these claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, it is hereby **ORDERED** that Counts II and III are **DISMISSED**.

s/John Corbett O'Meara

John Corbett O'Meara

United States District Judge

Dated: May 11, 2006